

**UNITED STATES OF AMERICA
JUDICIAL PANEL ON MULTIDISTRICT LITIGATION**

CHAIRMAN:
Judge Wm. Terrell Hodges
United States District Court
Middle District of Florida

MEMBERS:
Judge John F. Keenan
United States District Court
Southern District of New York

Judge Bruce M. Selya
United States Court of Appeals
First Circuit

Judge Julia Smith Gibbons
United States Court of Appeals
Sixth Circuit

Judge D. Lowell Jensen
United States District Court
Northern District of California

Judge J. Frederick Motz
United States District Court
District of Maryland

Judge Robert L. Miller, Jr.
United States District Court
Northern District of Indiana

DIRECT REPLY TO:

Michael J. Beck
Clerk of the Panel
One Columbus Circle, NE
Thurgood Marshall Federal
Judiciary Building
Room G-255, North Lobby
Washington, D.C. 20002

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<http://www.jpml.uscourts.gov>

July 29, 2003

Tony Anastas, Clerk
2300 John Joseph Moakley U.S. Courthouse
One Courthouse Way
Boston, MA 02210-3002

Re: MDL-1456 -- In re Pharmaceutical Industry Average Wholesale Price Litigation

State of West Virginia, et al. v. Warrick Pharmaceuticals Corp., et al.,
S.D. West Virginia, C.A. No. 2:03-494

Dear Mr. Anastas :

I am enclosing a certified copy of an order filed today by the Judicial Panel on Multidistrict Litigation involving this matter.

Very truly,

Michael J. Beck
Clerk of the Panel

By 
Deputy Clerk

Enclosure

cc: Transferee Judge: Judge Patti B. Saris
Transferor Judge: Judge Charles H. Haden II
Transferor Clerk: Ronald D. Lawson

JPML Form 87

JUDICIAL PANEL ON
MULTIDISTRICT LITIGATION

JUL 29 2003

FILED
CLERK'S OFFICE

DOCKET NO. 1456

**BEFORE THE JUDICIAL PANEL ON MULTIDISTRICT LITIGATION
IN RE PHARMACEUTICAL INDUSTRY AVERAGE WHOLESALE PRICE
LITIGATION**

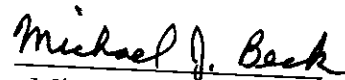
State of West Virginia, et al. v. Warrick Pharmaceuticals Corp., et al.,
S.D. West Virginia, C.A. No. 2:03-494

ORDER VACATING CONDITIONAL TRANSFER ORDER

A conditional transfer order was filed in this action (*State of West Virginia*) on June 30, 2003. Prior to expiration of that order's fifteen-day stay of transmittal, plaintiffs in *State of West Virginia* filed a notice of opposition to the proposed transfer. The Panel has now been advised that *State of West Virginia* was remanded to the Circuit Court of Kanawha County, West Virginia, by the Honorable Charles H. Haden II in an order signed on July 17, 2003.

IT IS THEREFORE ORDERED that the Panel's conditional transfer order designated as "CTO-13" filed on June 30, 2003, is VACATED insofar as it relates to this action.

FOR THE PANEL:



Michael J. Beck
Clerk of the Panel